

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HP TUNERS, LLC, a Nevada limited liability)
company,) NO. 3:17-cv-05760-JRC
)
Plaintiff,) **[PROPOSED] ORDER GRANTING**
) **TEMPORARY RESTRAINING ORDER**
)
vs.)
)
KEVIN SYKES-BONNETT and SYKED)
ECU TUNING INCORPORATED, a)
Washington corporation,)
)
Defendants.)

THIS MATTER coming to be heard on Plaintiffs HP TUNERS, LLC's Motion for Temporary Restraining Order and Preliminary Injunction pursuant to Federal Rules of Civil Procedure 65(b) against Defendants KEVIN SYKES-BONNETT and SYKED ECU TUNING INCORPORATED (collectively "Defendants"), due notice having been given and the Court being fully advised in the premises, IT IS HEREBY ORDERED AS FOLLOWS:

1. Plaintiff's Emergency Motion for Temporary Restraining Order is granted.
2. This Court finds that HPT has established that it is likely to succeed on the merits, HPT is likely to suffer irreparable harm in the absence of the preliminary relief, the balance of equities tips in HPT's favor, and an injunction is in the public interest.

1 3. Defendants, as well as each of their agents, and all persons acting in concert with
2 any of them, are immediately restrained from, directly or indirectly, releasing competitive
3 products or software to HPT;

4 4. Defendants, as well as each of their agents, and all persons acting in concert with
5 any of them, are immediately restrained from, directly or indirectly, selling any competitive
6 products or software to HPT;

7 5. Defendants, as well as each of their agents, and all persons acting in concert with
8 any of them, are immediately restrained from, directly or indirectly, releasing any products or
9 services using HPT's proprietary code to any third party;

10 6. Defendants, as well as each of their agents, and all persons acting in concert with
11 any of them, are immediately restrained from, directly or indirectly, selling any products or
12 services using HPT's proprietary code to any third party;

13 7. Defendants, as well as each of their agents, and all persons acting in concert with
14 any of them, are immediately restrained from, directly or indirectly, releasing any products or
15 software that is based on or derived from HPT's software or products;

16 8. Defendants, as well as each of their agents, and all persons acting in concert with
17 any of them, are immediately restrained from, directly or indirectly, selling any products or
18 software that is based on or derived from HPT's software or products;

19 9. Defendants, as well as each of their agents, and all persons acting in concert with
20 any of them, are immediately restrained from, directly or indirectly, be immediately restrained
21 from, directly or indirectly, exhibiting at the 2017 SEMA Show in Las Vegas, Nevada from
22 October 31, 2017 to November 3, 2017;

1 10. Defendants, as well as each of their agents, and all persons acting in concert with
2 any of them, are immediately restrained from, directly or indirectly, engaging in any activities
3 related to the planning, design, development, coding or creation of any software or products that
4 in any way uses, relies upon, is based on or discloses any of HPT's confidential, proprietary or
5 trade secret information, including but not limited to source code; and

6 11. Hearing on Plaintiff's motion for preliminary injunction shall be held on
7 _____, 2017 at ____:_____.m.

8 DATED this ____ day of October, 2017.

9
10
11 _____
12 UNITED STATES DISTRICT JUDGE

13 PRESENTED BY:

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